GOVERNMENT OF INDIA
POWER
LOK SABHA

UNSTARRED QUESTION NO:1986
ANSWERED ON:05.05.2016
Pensionary Benefits to Electricity Department
Ray Shri Bishnu Pada

Will the Minister of POWER be pleased to state:

be pleased to refer to the reply given to USQ No. 3022 dated 17 December, 2015 on "Mazdoors of Electricity Department of Andaman and Nicobar Islands" and to state the progress made in giving retiral and pensionary benefits to those mazdoors of the electricity department of the Islands?

Answer

THE MINISTER OF STATE (INDEPENDENT CHARGE) FOR POWER,
COAL AND NEW & RENEWABLE ENERGY

(SHRI PIYUSH GOYAL)

The proposal for giving retiral and pensionary benefit to 495 Mazdoors of Electricity Department of Andaman and Nicobar Islands for compliance of order of Hon''ble High Court was taken up with Department of Expenditure (Ministry of Finance), Department of Personnel & Training (DoP&T) and Electricity Department of Andaman and Nicobar Islands for implementation of the Hon''ble Court order.

A meeting on this issue was held in Department of Personnel & Training, Ministry of Personnel, Public Grievances and Pensions on 08th February, 2016. DoP&T has observed that regularisation of casual labour can be done as per the Scheme of 1993, which provides for regularizing the services of only those Causal Labours who have been granted temporary status as per the Scheme. The petitioners do not fulfil the criteria. The Hon'ble Supreme Court has held in many cases that Courts do not have the jurisdiction to direct creation of posts. Moreover, it is not possible to create posts with retrospective effect. Due to wide ramifications of action taken by the A&N Administration, DoP&T has advised to consult Ld. ASG on filing an SLP against the Hon'ble High Court's Order. Accordingly, A&N Administration has been requested to take necessary action in the matter.

****